

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
JONESBORO DIVISION**

KIARA SMITH
ADC #107225

PLAINTIFF

V.

3:07CV00050 JMM/JTR

LEROY MEADOWS, Sheriff,
Mississippi County, et al.

DEFENDANTS

ORDER

Plaintiff, who is a prisoner proceeding *pro se* in this § 1983 action, has filed a Motion to Compel, in which he asks the Court to order Defendants to file a Response to a Motion for Summary Judgment Plaintiff filed on February 13, 2008. *See* docket entries #61, #62, and #69. Defendants have timely responded to Plaintiff's Motion to Compel. *See* docket entry #70.

It appears from the record that the Clerk's office docketed Plaintiff's Brief in Support of Summary Judgment and his Statement of Facts, but did not separately docket a Motion for Summary Judgment. *See* docket entries #61 and #62. Thus, no Motion for Summary Judgment filed by Plaintiff appears on the pending motion list. Accordingly, the Court will direct the Clerk to redocket the matter, and give Defendants thirty days to file a Response.

IT IS THEREFORE ORDERED THAT:

1. Plaintiff's Motion to Compel (docket entry #69) is DENIED, as moot.
2. The Clerk is directed to indicate on the docket sheet that Plaintiff has filed a single pleading that is both a Motion for Summary Judgment and Brief in Support (docket entries #61-1 and #61-2) and to make any other necessary changes so that the Plaintiff's Motion for Summary Judgment appears as pending.

3. Defendants shall have **thirty days from the entry of this Order** to file a Response to Plaintiff's Motion for Summary Judgment.

Dated this 3rd day of April, 2008


UNITED STATES MAGISTRATE JUDGE